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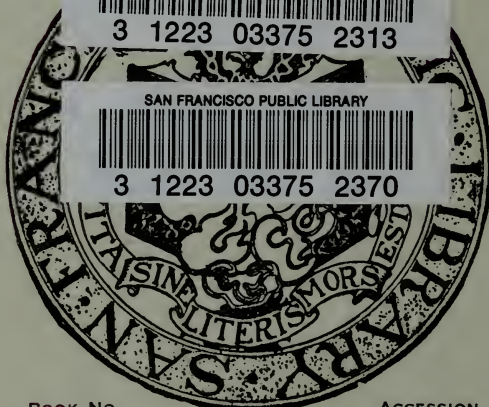


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FIRST AND SECOND ANNUAL

REPORTS

OF THE

Board of State Harbor Commissioners

November 4th, 1863, to November 4th, 1864.

November 4th, 1864, to November 4th, 1865.

SAN FRANCISCO:

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FIRST ANNUAL REPORT

OF THE

Board of State Harbor Commissioners.

HON. F. F. LOW,
Governor of the State of California.

THE undersigned, elected Commissioners by virtue of an Act entitled "An Act to provide for the improvement and protection of the wharves, docks, and water front of the City and County of San Francisco, approved April 24th, 1863," herewith submit their first annual report for the period from November 4th, 1863, to November 4th, 1864.

The first meeting of the Board was held on the fourth day of November, 1863, and its organization perfected on the succeeding day by the election of Mr. Robert E. C. Stearns as Secretary.

Upon the twelfth day of the same month, notices were served upon the various companies and individuals in possession of the several wharves and portions of the water front, requiring them to show by what title or authority they claimed or held such possession, and demanding the immediate surrender of the same.

As the result of their labors, the Commissioners are able to report that all of the wharves and such portions of the water front as are now built upon, are in their possession, with the following exceptions, viz :

The wharves known as Broadway, Pacific Street, Market Street, and Central Wharves, and portions of the water front between Pacific and Jackson Street Wharves, and between Clay Street and Market Street wharves. For particulars relative to said ex-

ceptions the Commissioners would respectfully refer to the annexed statement of Edward Tompkins, Esq., Counsellor to this Board.

In reference to portions of the water front from which no revenue has been derived the past year, the Commissioners, in anticipation of their ability to improve the same by building thereon, considered it impolitic to lease any portion thereof for a term exceeding one year. They accordingly advertised the same for lease for that period; the bids received being considered unreasonably low, were rejected. Subsequently it becoming evident that the revenues of the Commission could be more judiciously expended, the portions of the water front above named were readvertised for lease for a term of three years, and the bids received having been accepted, leases are now in preparation, and revenue from this source will commence on the first day of November instant.

The wharves now under the control of this Board were, at the time of their surrender, in a very dilapidated and unsafe condition, requiring immediate and extensive repairs. Vallejo Street Wharf being perfectly useless, a large portion of it having fallen into the bay, no income was derived therefrom. Without the means, and having no authority under the Act to enter into a contract for rebuilding it, and there not being a sufficient sum in the Wharf and Dock Fund to pay for the work when completed, the Commissioners were compelled to wait for further legislation to obtain the necessary power; which was granted by amendments to the original Act, approved March 5th, 1864. Upon the ninth of the same month, an advertisement for proposals for rebuilding said wharf was published according to law, and a contract made with the lowest bidder, who completed and delivered the same to the Commissioners on the twenty-seventh day of May following, at a cost of \$32,908 ⁸³/₁₀₀.

Mission Street Wharf has also been improved by extending the same into the bay to the limit prescribed by law, said extension being of the same width as the original structure, and one hundred and forty-two feet in length, costing as per contract \$14,021 ¹⁹/₁₀₀. The entire wharf is now in thorough repair. The remainder of the wharves in possession of the Commissioners have been repaired, and are now in good condition, with the exception of Jackson Street Wharf. An advertisement for proposals for rebuilding said

wharf is now in course of publication. The street leading to the wharf having been impassable for several months, the Commissioners have delayed rebuilding it until the thoroughfare referred to was repaired.

In conformity with the requirements of Section eight' of the Amendatory Act, approved March 5th, 1864, the Commissioners have caused a survey and map of the water front to be made, and have filed the latter in the office of the Surveyor of the City and County of San Francisco.

For the details of the receipts and expenditures of the property in charge of the Commissioners, they respectfully refer to the annexed tabular statement.

RECEIPTS,

From November 4th, 1863, to November 4th, 1864.

JACKSON STREET WHARF—

	Tolls, Wharfage, and Dockage.	Current Expenses.*	Net Receipts.
November, 1863 ...	\$ 460 05	\$112 42	
December, " ...	1,142 50	175 00	
January, 1864 ...	1,195 45	175 00	
February, " ...	797 25	178 00	
March, " ...	433 50	175 00	
April, " ...	600 45	200 00	
May, " ...	1,018 25	138 58	
June, " ...	877 00	125 00	
July, " ...	356 35	125 00	
August, " ...	147 00	125 00	
September, " ...	111 75	125 00	
October, " ...	196 00	125 00	
	<hr/>	<hr/>	
	\$7,335 55	\$1,779 00	
Carried forward			\$5,556 55

* NOTE.—Current expenses includes the amount paid Wharfingers' and Collectors' salaries, also the amount paid for removing dirt from the Wharves. Under the original act, \$150 per month was allowed to each Wharf for collecting the revenue thereof; under the amendatory act, \$200 for the same service.

	Tolls, Wharfage, and Dockage.	Current Expenses.	Net Receipts.
Brought forward.....			\$5,556 55
CLAY STREET WHARF—			
November, 1863 ...	335 75	\$ 94 40	
December, " ...	1,738 75	175 00	
January, 1864 ...	1,748 75	182 00	
February, " ...	1,828 00	175 00	
March, " ...	1,647 50	175 00	
April, " ...	1,737 25	200 00	
May, " ...	1,721 50	217 62	
June, " ...	1,922 25	200 00	
July, " ...	1,671 00	200 00	
August, " ...	1,668 25	200 00	
September, " ...	1,754 25	200 00	
October, " ...	2,122 25	215 00	
	<hr/> 19,895 50	<hr/> 2,234 02	17,661 48
WASHINGTON STREET WHARF—			
November, 1863 ...	\$ 124 00	\$ 94 36	
December, " ...	1,108 50	175 00	
January, 1864 ...	853 50	175 00	
February, " ...	710 00	175 00	
March, " ...	777 00	175 00	
April, " ...	537 25	200 00	
May, " ...	653 50	200 00	
June, " ...	636 00	200 00	
July, " ...	612 25	200 00	
August, " ...	654 00	200 00	
September, " ...	929 25	200 00	
October, " ...	965 25	200 00	
	<hr/> 8,560 50	<hr/> 2,194 36	6,366 14
NORTH POINT WHARF—			
November, 1863 ...		31 73	
December, " ...	78 00	83 64	
January, 1864 ...	1,543 58	175 00	
February, " ...	855 00	175 00	
March, " ...	1,308 50	175 00	
April, " ...	1,720 50	179 50	
May, " ...	2,047 50	150 00	
Carried forward.....			<hr/> \$29,584 17

		Tolls, Wharfage, and Dockage.	Current Expenses.	Net Receipts.
Brought forward				\$29,584 17
NORTH POINT WHARF—Continued—				
June, 1864 ...	942 25	168 13		
July, " ...	1,278 75	150 00		
August, " ...	1,434 50	150 00		
September, " ...	923 00	150 00		
October, " ...	1,075 00	150 00		
	<hr/>	<hr/>		
	13,206 58	1,738 00		11,468 58
MISSION STREET WHARF—				
November, 1863 ...	416 15	90 58		
December, " ...	2,103 00	233 42		
January, 1864 ...	3,087 45	182 50		
February, " ...	1,991 75	184 00		
March, " ...	2,592 00	182 00		
April, " ...	3,873 25	191 50		
May, " ...	3,525 00	222 50		
June, " ...	3,337 25	210 00		
July, " ...	1,790 25	191 00		
August, " ...	4,473 00	188 50		
September, " ...	3,639 00	194 00		
October, " ...	3,009 75	197 50		
	<hr/>	<hr/>		
	33,837 85	2,267 50		31,570 35
VALLEJO STREET WHARF—				
November, 1863 ...	861 55	62 32		
December, " ...	278 00	118 60		
January, 1864 ...	332 50	100 00		
February, " ...	210 25	100 00		
March, " ...	420 95	100 00		
April, " ...	762 05	125 00		
May, " ...	2,456 25	200 00		
June, " ...	3,139 50	220 00		
July, " ...	3,150 00	200 00		
August, " ...	3,150 00	200 00		
September, " ...	3,420 00	200 00		
October, " ...	3,500 00	200 00		
	<hr/>	<hr/>		
	\$21,681 05	\$1,825 92		19,855 13
Carried forward				<hr/> \$92,478 23

Brought forward..... Net Receipts.
\$92,478 23

FOLSOM STREET WHARF—

Including a portion of
East Street and Stuart
Streets.

From Oct. 1st, 1863, to Oct.
1st, 1864, twelve months,
at \$500 per month, 6,000 00
From Oct. 1st, 1864, to
Nov. 1st, 1864, one mo.
at \$2,000 per mo..... 2,000 00

8,000 00

8,000 00

EAST STREET—

Between Washington and
Jackson Streets.

From Dec. 1st, 1863, to
Nov. 1, 1864, eleven mo.
at \$100 per mo. 1,100 00

Between Washington and
Clay Streets.

From Dec. 11th, 1863, to
Nov. 1st, 1864, 10 $\frac{2}{3}$ mos.
at \$200 per mo..... 2,133 35

Opposite Water Lot No.
724.

From Sept. 14th, 1864, to
Oct. 14th, 1864, one mo.
at \$50 per mo..... 50 00

Between Jackson and Pacific
Streets.

From Dec. 1st, 1863, to
April 1st, 1864, four mos.
at \$50 per mo..... 200 00
From April 1st, 1864, to
Nov. 1st, 1864, seven mos.
at \$30 per mo..... 210 00

3,693 35

3,693 35

Carried forward \$104,171 58

		Net Receipts.
Brought forward.....		\$104,171 58
FRONT STREET—		
Between Green and Union Streets.		
From Sept. 14th, 1864, to Oct. 14th, 1864, 1 mo. at \$51 per mo.....	51 00	
OAKLAND AND SAN ANTONIO STEAM NAVIGATION COMPANY'S Ferry Landing and Wharf.		
From April 1st, 1864, to Sept. 1st, 1864, five mos. at \$100 per mo.....	500 00	
RISDON, PLUMMER & Co.'s Wharf, near foot of Main Street.		
Dockage from Oct. 1st to Oct. 31st, 1864.....	166 25	
	<u>717 25</u>	
		717 25
Total Receipts,.....		<u><u>\$104,888 83</u></u>

DISBURSEMENTS,

From November 4th, 1863, to November 4th, 1864.

URGENT REPAIRS.

Mission Street Wharf.....	\$7,954 27
Jackson Street Wharf.....	1,116 50
Vallejo Street Wharf.....	327 52
Washington Street Wharf.....	2,860 91
Clay Street Wharf.....	3,622 56
North Point Wharf.....	1,609 85
Carried forward.....	<u>\$17,491 61</u>

Brought forward.....	\$17,491 61	
Davis Street, at junction with Val- lejo Street	1,263 25	
East Street, between Washington and Jackson streets.....	168 00	
East Street, between Washington and Clay streets	755 94	
East Street, opposite entrance to Washington Street Wharf.....	190 25	
For general use on Water Front, Spikes.....	50 75	
	<hr/>	
Total expenditure for Urgent Repairs		\$19,919 80

EXPENSES.

Rent of Office, Nov. 10th, 1863, to Nov. 10th, 1864	600 00	
Books and Stationery	258 75	
Printing	159 50	
Advertising	358 00	
Cleaning Office, Fuel, Ex- press charges, etc., etc..	258 62	
Survey and Plat.....	25 00	
	<hr/>	
		1,659 87

Total Rent and Incidental Expenses		1,659 87
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LEGAL EXPENSES.

Amount paid Edward Tomp- kins, Esq., special counsel to Board.....	2,000 00	
Amount paid filing Comp- laints, etc., in suits com- menced against various parties	100 00	
Amount paid judgment and costs for loss occasioned by caving of Jackson St. Wharf, in King <i>et al. vs.</i> Harbor Commissioners..	64 50	
	<hr/>	
Total Legal Expenses.....		2,164 50
		<hr/>
Carried forward.....		\$23,744 17

Brought forward..... \$23,744 17

OFFICE APPROPRIATION.

(Amount allowed by law, \$1,000.) Carpet, Furni- ture, etc.....	396 25	
Safe, and moving same ...	280 00	
	<hr/>	676 25

SALARY ACCOUNT.

Amount paid Salaries of Commissioners from Nov. 5th, 1863, to March 5th, 1864, each four months, at \$100 per month.....	1,200 00	
March 5th, 1864, to Nov. 1st, 1864, each seven months, twenty-six days, at \$250 per month.....	5,925 00	
	<hr/>	7,125 00

Amount paid Secretary's Salary, Nov. 7th, 1863, to Nov. 1st, 1864, eleven mos., twenty-three days, at \$200 per month.....		2,366 67
		<hr/>

Total Commissioners' and Secretary's Salaries....		9,491 67
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STATE WHARF AND DOCK FUND.

Amount paid in to State Wharf and Dock Fund by Commissioners		70,976 74
		<hr/>
Total Disbursements.....		<u>\$104,888 83</u>

STATE WHARF AND DOCK FUND,

DR.

Jan. 4th, 1864. Amount re-		
mitted by Commissioners,	\$3,294	25
April 4th, 1864. Amount		
remitted by Commission-		
ers.....	17,245	35
May 3d, 1864. Amount re-		
mitted by Commissioners,	4,377	81
June 2d, 1864. Amount re-		
mitted by Commissioners,	7,318	55
June 21st, 1864. Amount re-		
mitted by Commissioners,	4,784	25
July 1st, 1864. Amount re-		
mitted by Commissioners,	2,746	50
July 18th, 1864. Amount		
remitted by Commission-		
ers,	3,000	00
Aug. 2d, 1864. Amount re-		
mitted by Commissioners,	4,161	24
Sept. 2d, 1864. Amount re-		
mitted by Commissioners,	7,302	05
Oct. 3d, 1864. Amount re-		
mitted by Commissioners,	6,823	00
Nov. 2d, 1864. Amount re-		
mitted by Commissioners,	9,923	74
	70,976	74
*May 31st, 1864. Amount		
paid by Golden City		
Homestead Association,.	474	40
*June 7th, 1864. Amount		
paid by North San Fran-		
cisco Homestead Associa-		
tion,	446	25
	<u> </u>	920 65
Total amount paid into the State Wharf and Dock		
Fund,		\$71,897 39

* The amounts paid into the Wharf and Dock Fund by the Homestead Associations did not pass through the hands of the Commissioners.

STATE WHARF AND DOCK FUND,

CR.

(Amount of Commissioners' Orders, as follows :)

April 13th, 1864. Order No.	
1, in favor of F. P. Swett,	\$2,000 00
April 28th, 1864. Order No.	
2, in favor of F. P. Swett,	4,000 00
May 11th, 1864. Order No.	
3, in favor of F. P. Swett,	4,000 00
May 28th, 1864. Order No.	
4, in favor of F. P. Swett,	14,000 00
May 28th, 1864. Order No.	
5, in favor of Brooks & Potter,.....	750 00
June 7th, 1864. Order No.	
6, in favor of F. P. Swett,	6,000 00
June 22d, 1864. Order No.	
7, in favor of Galloway & Boobar,.....	5,000 00
June 22d, 1864. Order No.	
8, in favor of F. P. Swett,	2,000 00
July 7th 1864. Order No.	
9, in favor of F. P. Swett,	908 83
July 7th, 1864. Order No.	
10, in favor of Galloway & Boobar,.....	2,000 00
July 18th, 1864. Order No.	
11, in favor of Galloway & Boobar,.....	3,000 00
Aug. 6th, 1864. Order No.	
12, in favor of Galloway & Boobar,.....	4,021 19
	<hr/>
	\$47,680 02

Balance in State Wharf and Dock Fund, 24,217 37 \$71,897 39

CONSTRUCTION OF NEW WHARVES, ETC.

	DR.	CR.
Under the provisions of Sec. 5 of the Amendatory Act for the Protection and Improvement of the Wharves, Water Front, etc., the Commissioners are required to draw their orders on the State Controller where the ex- penditure incurred exceeds the sum of \$3,000 per month. Pursuant to the provisions of said section, the Commissioners have drawn, as per preceding statement, orders in pay- ment for the construction of new works to the amount of.	\$47,680 02	
BY VALLEJO STREET WHARF— Amount paid F. P. Swett, as per con- tract of March 24th, 1864, for build- ing said Wharf and furnishing mate- rials in full.		32,908 83
BY EXTENSION TO MISSION STREET WHARF— Amount paid Galloway & Boobar, as per contract of May 26th, 1864, for building and materials for said exten- sion in full		14,021 19
BY SURVEY AND MAP OF THE WATER FRONT— Amount paid Brooks & Potter for making survey and map of the Water Front, as per contract of April 8th, 1864		750 00
	<u>\$47,680 02</u>	<u>\$47,680 02</u>

RECAPITULATION.

RECEIPTS.			
	Gross Receipts.	Current Expenses.	Net Receipts.
Jackson Street Wharf ...	\$ 7,335 55	\$1,779 00	\$ 5,556 55
Clay Street Wharf.	19,895 50	2,234 02	17,661 48
Washington Street Wharf	8,560 50	2,194 36	6,366 14
North Point Wharf.	13,206 58	1,738 00	11,468 58
Mission Street Wharf ...	33,837 85	2,267 50	31,570 35
Vallejo Street Wharf. ...	21,681 05	1,825 92	19,855 13
Folsom Street Wharf, etc.	8,000 00	.....	8,000 00
East Street (portion of Water Front on).....	3,693 35	.....	3,693 35
Front Street (portion of Water Front on).....	51 00	.....	51 00
Oakland and San Antonio Steam Navigation Co.'s Wharf and Ferry Ld'g.	500 00	.....	500 00
Risdon, Plummer & Co.'s Wharf	166 25	.....	166 25
	<u>\$116,927 63</u>	<u>12,038 80</u>	<u>\$104,888 83</u>

DISBURSEMENTS.			
Urgent Repairs	\$19,919 80		
Expenses, etc.....	1,659 87		
Legal Expenses	2,164 50		
Office Furniture, etc....	676 25		
Salaries of Commissioners and Secretary	9,491 67		
State Wharf and Dock Fund	70,976 74		
			<u>\$104,888 83</u>

CONSTRUCTION OF NEW WORKS AND SURVEY.

Vallejo Street Wharf, Re- building	\$32,908 83	
Mission Street Wharf Ex- tension	14,021 19	
Survey and Map of Water Front	750 00	
Commissioners' Orders on State Wharf and Dock Fund in payment of the above		47,680 02
	<u>\$47,680 02</u>	<u>\$47,680 02</u>

Respectfully submitted,

C. L. TAYLOR,
D. C. McRUER,
S. S. TILTON.

NOVEMBER 3D, 1864.

REPORT OF EDWARD TOMPKINS,

SPECIAL COUNSEL.

SAN FRANCISCO, November 1st, 1864.

To the Board of State Harbor Commissioners :

The following suits commenced on your behalf, are now in my hands:

First. Suit in the Fourth District Court against the Broadway Wharf Company, to recover possession of the wharf at the foot of Broadway street, in San Francisco. That company claims the wharf and ninety feet of the slips each side of it, under leases from the Commissioners of the Funded Debt, made under the following circumstances. On the thirteenth day of February, 1851, a lease was made by the then Commissioners of the Sinking Fund to Francis Salmon, for the term of seven years. This lease would have expired February 13th, 1858. On the thirty-first of December, 1856, the Commissioners of the Funded debt made a new lease to the Broadway Wharf Company, for seven years from October 1st, 1856. That lease would have expired on the seventh of October, 1863. On the thirty-first day of January, 1861, nearly three years before the expiration of said lease, the Commissioners of the Funded Debt, on the application of said Company, made a new lease to them of the said wharf and privileges connected therewith, to continue until the first day of May, 1871. The right of the Commissioners to make such a lease has always been doubted ; and the law under which you act directing you to take possession of the entire water front, excepting such parts as were held under *valid* leases, you had no other alternative but to admit the validity of their leases, or to institute proceedings to have the question between you judicially settled. You therefore directed

an action commenced for the recovery of the wharf, and the same has been pending since the ninth day of March last. A demurrer was interposed to the complaint, which was argued, and overruled by the Court, and the cause is now at issue, and will be tried within a few weeks.

Second. Suit against the Pacific Wharf Company, to recover the wharf at the foot of Pacific street. The circumstances are in all respects the same as in the case of the Broadway Wharf Company.

Third. Suit against Benjamin Richardson and John Nightingale, for the wharf at the foot of Market street. It is precisely like the two preceding causes.

Fourth. Suit against the Central Wharf Association, to recover "Central Wharf," in San Francisco, commenced at the same time, and in the same condition as the cases already mentioned. I am unable to discover that they have any lease of the wharf, or any other foundation for their claim thereto, than an ordinance of the Town Council, passed in 1849.

Fifth. Suit against the ship "Fair Wind," commenced March 1st, 1864, to recover \$369 wharfage, that accrued at North Point Dock. I am informed that the amount was paid on account of the ship to Messrs. W. T. Coleman & Co., and that the action is in fact, defended by that house. It will be tried during the present month.

Sixth. Suit commenced June 3d, 1864, against John G. Klumpke, Elisha Higgins, Alexander Blanc, Wm. C. Hoff, A. A. Harvey, W. J. Turner, Herman Wohler, and C. K. Garrison, for the possession of the premises outside of the water front between Jackson and Pacific streets. Without any authority or right that I have been able to discover, the defendants have occupied for several years nearly the entire water front between said streets, and extending some hundred feet, more or less, beyond the water line into the bay. They have demurred to the complaint, and the demurrer will probably be disposed of on the next "law day" in the Fourth District Court.

The foregoing six suits are all that are now in my hands on your behalf.

I am most respectfully yours,

EDWARD TOMPKINS,

Special Counsel.

SECOND ANNUAL REPORT

OF THE

Board of State Harbor Commissioners.

TO THE HON. F. F. LOW,
Governor of the State of California:

IN conformity with the requirements of the law, the Board of State Harbor Commissioners herewith submit their Second Annual Report, exhibiting the receipts and disbursements, and the general transactions of the Commission, for the year ending November 3d, 1865.

At the date of the First Annual Report the Commissioners had decided to lease the privilege of collecting wharfage, dockage, and tolls, upon the easterly line of East street, for a term of three years, the limit fixed by law, and the leases were in preparation at the time said report was submitted. The great outlay requisite to build the outer half of said street, the extensive dredging required, and particularly the lack of means, combined to render the course pursued by the Commissioners, the best, if not the only one that could be adopted. The total revenue under the leases aforesaid has been \$16,121, the lessees making their own improvements and repairs, and dredging as they may deem necessary, at their own expense.

The Commissioners have also leased other portions of the water front, as follows:

The southerly line of Bryant street between Main and Beale streets, at a monthly rental of two hundred and fifty dollars.

A portion of the easterly line of Spear street between Harrison

and Bryant streets, and the southerly line of Bryant street, between Spear and Main streets, at a monthly rental of one hundred and fifty dollars.

The outer half of Vallejo street, from the present outer line of Davis street to the easterly line of Front street, at a monthly rental of three hundred dollars.

The premises above enumerated were advertised according to law, and leased to the highest bidders, the lessees making whatever repairs may be required.

According to the requirements of Sec. 4 of the Act of March 5th, 1864, the Commissioners are restricted from retaining possession of the wharves and improved portions of the water front for a longer period than six months without advertising the same for lease.

In pursuance of the provisions of said section, such wharves and portions of the water front as were in possession of this Board on the twelfth day of April last, were advertised on that day, and the bids opened on the nineteenth of the following May. The bids received were deemed unreasonably low, and were rejected; the premises advertised consequently remained in the control of the Commissioners, and will be readvertised upon the nineteenth of the present month.

The Board also advertised for lease unimproved portions of the water front without receiving a satisfactory bid therefor.

The same section of the Act above alluded to, directs the Commissioners to designate certain portions of the water front for ferry landings. Accordingly, upon the application of parties owning ferry boats, the Commissioners have set apart and leased for said purpose portions of Davis street between Pacific and Broadway wharves, and Broadway and Vallejo street wharves. The parties lessees of that portion of Davis street first above mentioned have been enjoined from building a landing-place, or driving piles in front of the premises granted. The injunction was allowed on motion of the Broadway and Pacific Wharf Companies, who claim under their leases, the validity of which is now being tested, that the slip should remain unobstructed and open.

Under the provisions of Sec. 7, of the Act of March 5th, 1864, and in response to the petition of responsible parties ship owners,

the Commissioners have set apart a portion of the water front between the intersection of Beale and Bryant streets, and the intersection of First and Brannan streets, for the purposes of a dry dock and marine railway, and advertised for proposals for leasing the same for said purposes on the eighth of October last. The bids are to be opened on the seventeenth instant. The Commissioners will be governed in the consideration of the bids, by the responsibility of the bidders, the character of the works they are disposed to erect, and the length of time that may be demanded to complete the same. That a dry dock of ample capacity is much needed, and that it would be a great benefit to the mercantile community there can be no doubt.

The demands of commerce, the condition of many of the wharves and portions of the water front, have required a considerable expenditure for construction and repairs. Jackson Street Wharf has been entirely rebuilt by contract, and completed January 14th, 1865, at a cost of \$16,625 ⁸⁵/₁₀₀. This wharf is five hundred and seventy-five feet in length and fifty feet in width.

The outer half of East street between Jackson street and Washington street wharves, three hundred and thirty feet in length, by a width of seventy-five feet, a new structure, was completed February 10th, 1865, at a cost of \$10,427; also, the outer half of East street northerly from Jackson Street Wharf one hundred and sixty-three and three-twelfths feet in length, and seventy-five feet in width, was completed May 6th, 1865, costing \$5,381 ⁹⁷/₁₀₀. In addition to the facilities afforded commerce by the construction of these portions of East street, a much-needed thoroughfare has been obtained, connecting Jackson and Washington street wharves, of great importance in the transaction of business at said wharves, and of general convenience to the extensive business of this portion of the city.

The improvements made by the Commissioners during the past year have not been confined to the locality just referred to. A new and substantial wharf has been erected at the foot of Howard street, four hundred and seventy-five feet long, and eighty feet wide, connected with Stuart street by a bridge or thoroughfare two hundred and twelve feet in length by thirty feet in width. This structure was completed May 6th, 1865, at a cost, as per contract, of \$29,900.

The total expenditure for new wharves and other works, during the year, as enumerated above, reaches a sum of \$62,334 $\frac{82}{100}$, paid out of the State Wharf and Dock Fund by the Commissioners' drafts upon the same, leaving a balance in said fund at the present date of \$29,590 $\frac{2}{100}$, subject to the orders of the Board for any improvements that may be made hereafter.

The gradual shoaling of the water in the slips and along the water front will necessitate heavy drafts upon the above fund to pay for dredging, as a very considerable expenditure will be requisite the coming year, to furnish the larger class of vessels with suitable dockage facilities. The wharf accommodations being sufficient for the present time, in the opinion of the Commissioners, the deepening of the slips will receive their immediate attention.

The sum expended for repairs demanded by urgent necessity is \$18,540 $\frac{33}{100}$. (For the details of the items, see financial statement below.) This expenditure has been required to maintain the old structures in a safe and suitable condition.

The Commissioners have remitted to the credit of the Harbor Protection Fund \$55,657 $\frac{76}{100}$, which sum is on hand at this date, and can be drawn upon by the Commissioners only for the permanent improvement of the water front of the city. In conformity with the statute, the Commissioners have employed a competent Engineer to make the survey required by the Act, together with the necessary maps, etc., preliminary to the construction of a permanent sea wall, which survey will doubtless be completed by the first of March next.

Immediately upon the completion of said survey, embracing the maps and report of the Engineer, the Commissioners intend advertising for plans, specifications, and estimates, for the construction of said sea wall. Several months must necessarily elapse before the plans, estimates, etc., can be perfected and submitted to the Board for its consideration.

After the various plans are received and considered, and the plan which, in the judgment of the Commissioners, is the best, taking into account feasibility, durability, and economy, is accepted, the Board will immediately advertise for proposals for building said sea wall in sections, in pursuance of the law, and as rapidly as the revenue of the Commission will permit.

As to the revenues of the coming year, and the proportion of

the same that can be devoted to the permanent improvement of the water front, the Commissioners estimate as follows:

An average monthly remittance of \$10,000; or \$120,000 for the year, \$30,000 of which may be placed to the credit of the State Wharf and Dock Fund, added to the balance remaining in said fund at this date, will give a total of about \$60,000 which can be drawn upon to pay for dredging and such wharf improvements as the law specifies shall be paid for by this fund; \$90,000 to the credit of the Harbor Protection Fund to meet disbursements in connection with the erection of the contemplated sea wall, added to the amount now in said fund, make a total of \$145.657 $\frac{76}{100}$.

Should the decision of the Supreme Court in the cases of *The People vs. The Wharf Companies*, be favorable to the State, an increase of revenue to an amount of \$5,000 per month may be anticipated, of which amount say one half, or \$30,000 for the year, could be added to the Harbor Protection Fund, and the remaining \$30,000 to the Wharf and Dock Fund—a sum which may be required to place the wharves in good condition, now held adversely to the State.

As to the status of the suits now pending for the recovery of the possession of the wharves, etc., above referred to, reference is directed to the annexed communication from Mr. Tompkins, the Special Counsel to the Board.

RECEIPTS,

From November 4th, 1864, to November 4th, 1865.

JACKSON STREET WHARF—

	Tolls, Wharfage, and Dockage.	Current Expenses.*	Net Receipts.
November, 1864 ...	\$ 302 00	\$125 00	
December, " ...	61 50	125 00	
January, 1865 ...	204 75	162 50	
February, " ...	790 00	200 00	
March, " ...	585 50	200 00	
April, " ...	637 50	200 00	
May, " ...	1,358 25	192 50	
June, " ...	709 00	200 00	
July, " ...	969 25	200 00	
August, " ...	876 55	200 00	
September, " ...	1,343 00	200 00	
October, " ...	1,017 95	200 00	
Materials in old struc- ture sold.	200 00		
	<hr/> 9,055 25	<hr/> 2,205 00	<hr/> \$6,850 25

CLAY STREET WHARF—

November, 1864 ...	1,441 50	200 00	
December, " ...	1,740 00	200 00	
January, 1865 ...	1,010 00	200 00	
February, " ...	1,320 20	200 00	
March, " ...	1,343 65	200 00	
April, " ...	1,057 50	200 00	
May, " ...	1,500 85	207 50	
June, " ...	926 25	200 00	
July, " ...	1,368 90	200 00	
August, " ...	1,641 00	200 00	
September, " ...	1,580 50	200 00	
October, " ...	1,592 00	200 00	
	<hr/> 16,522 35	<hr/> 2,407 50	<hr/> 14,114 85
Carried forward			<hr/> \$20,965 10

* NOTE.—Current expenses includes amount paid Wharfingers' and Collectors' salaries; also the amount paid for removing dirt from the Wharves.

	Tolls, Wharfage, and Dockage.	Current Expenses.	Net Receipts.
Brought forward.....			\$20,965 10
WASHINGTON STREET WHARF—			
November, 1864 ...	\$725 75	\$200 00	
December, “ ...	761 00	200 00	
January, 1865 ...	674 75	200 00	
February, “ ...	613 85	200 00	
March, “ ...	617 85	200 00	
April, “ ...	639 25	200 00	
May, “ ...	790 45	200 00	
June, “ ...	625 90	200 00	
July, “ ...	683 25	200 00	
August, “ ...	1,140 55	200 00	
September, “ ...	946 80	200 00	
October, “ ...	1,167 15	200 00	
	<hr/> 9,386 55	<hr/> 2,400 00	6,986 55
NORTH POINT WHARF—			
November, 1864 ...	784 75	150 75	
December, “ ...	1,714 00	150 00	
January, 1865 ...	1,595 25	150 00	
February, “ ...	1,864 13	175 00	
March, “ ...	1,017 75	175 00	
April, “ ...	742 25	175 00	
May, “ ...	403 37	150 00	
June, “ ...	1,228 88	150 00	
July, “ ...	373 00	150 00	
August, “ ...	703 25	150 00	
September, “ ...	1,419 25	150 00	
October, “ ...	592 50	150 00	
	<hr/> 12,438 38	<hr/> 1,875 75	10,562 63
MISSION STREET WHARF—			
November, 1864 ...	1,914 75	222 75	
December, “ ...	5,460 00	241 00	
January, 1865 ...	3,029 25	185 00	
February, “ ...	3,978 50	250 67	
March, “ ...	3,040 75	185 00	
April, “ ...	2,697 50	204 50	
May, “ ...	2,820 25	185 00	
Carried forward.....			<hr/> \$38,514 28

		Tolls, Wharfage, and Dockage.	Current Expenses.	Net Receipts.
Brought forward				\$38,514 28
MISSION STREET WHARF—Continued—				
June, 1865 ...		\$2,879 00	\$185 00	
July, " ...		2,054 25	207 00	
August, " ...		2,210 25	200 00	
September, " ...		2,578 25	200 00	
October, " ...		2,753 75	200 00	
		<u>35,416 50</u>	<u>2,465 92</u>	32,950 58
VALLEJO STREET WHARF—				
November, 1864 ...		2,560 00	242 00	
December, " ...		5,000 00	292 50	
January, 1865 ...		2,210 00	217 50	
February, " ...		1,482 90	257 50	
March, " ...		3,827 00	248 70	
April, " ...		2,800 00	200 00	
May, " ...		1,660 75	217 50	
June, " ...		2,455 25	200 00	
July, " ...		2,100 00	200 00	
August, " ...		2,800 00	267 50	
September, " ...		3,400 00	476 95	
October, " ...		1,900 00	380 00	
		<u>32,195 90</u>	<u>3,200 15</u>	28,995 75
HOWARD STREET WHARF—				
May, 1865 ...		625 25	223 75	
June, " ...		644 62	200 00	
July, " ...		727 55	200 00	
August, " ...		864 35	125 00	
September, " ...		989 00	125 00	
October, " ...		1,238 50	137 50	
		<u>5,089 27</u>	<u>1,011 25</u>	4,078 02
FOLSOM STREET WHARF (leased)—				
Rent from Nov. 1st,				
1864, to Nov. 1st,				
1865, twelve mos.				
at \$2,000 per mo.	24,000 00			24,000 00
Carried forward				<u>\$128,538 63</u>

	Tolls, Wharfage, and Dockage.	Current Expenses.	Net Receipts.
Brought forward.....			\$128,538 63

EAST STREET (north of Market Street)—

November, 1864 ...	\$330 00		
December, " ...	330 00		
January, 1865 ...	230 00		
February, " ...	317 25		
March, " ...	423 50		
April, " ...	454 10		
May, " ...	630 12		
June, " ...	758 75		
July, " ...	907 00		
August, " ...	707 50	\$110 00	
September, " ...	716 50	100 00	
October, " ...	697 50	100 00	
	<hr/>	<hr/>	
	6,507 22	310 00	6,197 22

EAST STREET (from Market to Folsom)—

November, 1864 ...	1,252 00	
December, " ...	1,150 00	
January, 1865 ...	1,502 00	
February, " ...	1,201 00	
March, " ...	1,250 00	
April, " ...	1,602 00	
May, " ...	1,250 00	
June, " ...	1,501 00	
July, " ...	1,341 00	
August, " ...	1,391 00	
September, " ...	1,241 00	
October, " ...	1,440 00	
	<hr/>	
	16,121 00	16,121 00

FRONT STREET FROM UNION TO GREEN—

Amount received for rent from December 1st, 1864, to Novem- ber 1st, 1865, twelve months, at \$51 per month.....	612 00	612 00
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Carried forward.....	\$151,468 85
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Net Receipts.

Brought forward \$151,468 85

OAKLAND AND SAN ANTONIO STEAM NAV. Co.—

Amount received for
rent, as per charter. 1,200 00 1,200 00

MAIN STREET WHARF—

Amount received for
rent from December
31st, 1864, to Octo-
ber 31st, 1865, ten
months, at \$250 per
month. 2,500 00

Amount received for
dockage accrued prior
to lease. 401 87

2,901 87 2,901 87

SPEAR AND BRYANT STREETS—

From Oct. 1st, 1864,
to Nov. 1st, 1865,
twelve mos., at \$150
per month. 1,800 00 1,800 00

STEWART STREET (portion of)—

November, 1864 . . . 513 00
December, “ . . . 456 12
February, 1865 . . . 250 25
March, “ . . . 340 00
July, “ . . . 231 00
September, “ . . . 231 00
October, “ . . . 378 00

2,399 37 2,399 37

DAVIS STREET (Pacific to Vallejo)—

February, 1865 . . . 8 00
March, “ . . . 60 00
September, “ . . . 80 00
October, “ . . . 100 00

248 00 248 00

Carried forward \$160,018 09

		Net Receipts.
Brought forward.....	\$160,018	09
VALLEJO STREET (outer half from Davis to Front Street)—		
Amount received for rent from June 1st, 1865, to November 1st, 1865, five mos., at \$300 per month..	1,500 00	1,500 00
Total Net Receipts	\$161,518	09

DISBURSEMENTS,

From November 4th, 1864, to November 4th, 1865.

URGENT REPAIRS.

Mission Street Wharf,....	\$7,232	30	
Clay Street Wharf,.....	3,458	11	
Jackson Street Wharf,....	32	78	
Vallejo Street Wharf,....	1,093	49	
Howard Street Wharf,....	305	00	
Washington Street Wharf,	2,167	58	
North Point Wharf,.....	737	45	
EAST STREET, (outer half.)			
Crossing East and Jackson streets,..	50		
East street, from Clay to Washington,...	372		
East street, next south of Mission.....	200	622	00
Davis street, (outer half,)			
Vallejo to Pacific,....	47	25	
Vallejo street, (outer half,)	2,844	37	
			18,540 33
Carried forward.....	\$18,540	33	

Brought forward..... \$18,540 33

EXPENSE ACCOUNT.

Rent of Office,.....	600 00	
Books and Stationery,...	117 63	
Printing,.....	191 50	
Advertising,.....	274 00	
Cleaning Office,.....	76 50	
Sweeping Wharves,.....	660 00	
Fuel,.....	20 00	
Postage and Rev. Stamp,	86 25	
Surveying, etc.....	62 00	
Incidentals,.....	75 65	
	<hr/>	2,163 53

LEGAL COUNSEL.

Amount paid Edward Tompkins, special counsel to the Board,..... 3,000 00

OFFICE APPROPRIATION, ETC.

Amount paid for furniture,..... 36 00

SALARY ACCOUNT.

Amount paid Salaries of Commissioners and Secretary,..... 11,400 00

PROTEST ACCOUNT.

Amount of Dockage paid under Protest, and held to abide events,..... 3,013 00

STATE WHARF AND DOCK FUND.

Amount remitted State Treasurer,... 67,707 47

HARBOR PROTECTION FUND.*

Amount remitted State Treasurer,... 55,657 76

Total Disbursements \$161,518 09

* This amount remains in said fund at present date, not having been drawn upon by the Commissioners.

STATE WHARF AND DOCK FUND,

DR.

Dec. 2d, 1864. Amount remitted by Commission- ers	\$6,840 43	
Jan. 4th, 1865. Amount remitted by Commission- ers	15,916 12	
Feb. 2d, 1865. Amount remitted by Commission- ers	7,156 30	
March 2d, 1865. Amount remitted by Commission- ers	9,442 53	
April 3d, 1865. Amount remitted by Commission- ers	10,659 58	
May 2d, 1865. Amount remitted by Commission- ers	8,557 35	
June 3d, 1865. Amount remitted by Commission- ers	9,135 16	
	<hr/>	\$67,707 47
Balance in Fund at date of last Annual Report. . . .	24,217 37	
	<hr/>	
Total		<u>\$91,924 84</u>

STATE WHARF AND DOCK FUND,

CR.

Amount of Commissioners' Orders, as follows :

Dec. 24th, 1864. No. 13, favor of A. K. P. Glid- den	\$5,000 00
Jan. 14th, 1865. No. 14, favor of A. K. P. Glid- den	6,000 00
Jan. 16th, 1865. No. 15, favor of A. K. P. Glid- den	5,625 85
	<hr/>
Carried forward	\$16,625 85

Brought forward. . . .	\$16,625 85	
Feb. 10th, 1865. No. 16, favor of F. P. Swett..	10,427 00	
May 6th, 1865. No. 17, favor of Galloway & Boobar	29,900 00	
May 12th, 1865. No. 18, favor of C. Hendrick..	5,381 97	
	<hr/>	\$62,334 82
Balance in State Wharf and Dock Fund.	29,590 02	
	<hr/>	
Total.		<u>\$91,924 84</u>

CONSTRUCTION ACCOUNT.

	DR.	CR.
To State Wharf and Dock Fund, amount of Com- missioners' Orders, 13 to 18 inclusive, as per preceding statement. . .	\$62,334 82	
By Jackson Street Wharf, Amount paid A. K. P. Glidden for building said wharf, as per contract of November 19th, 1864. . .		\$16,625 85
By East Street outer half, from Jackson to Wash- ington streets, amount paid F. P. Swett for building said street, as per contract of January 23d, 1865.		10,427 00
By Howard Street Wharf, Amount paid Galloway & Boobar for building wharf, as per contract of February 27th, 1865. . .		29,900 00
	<hr/>	<hr/>
Carried forward.	\$62,334 82	\$56,952 85

Dr.

Cr.

Brought forward	\$62,334 82	\$56,952 85
East Street (north of Jackson), am't paid Charles Hendrick for building outer half of street, as per contract of March 17th, 1865.		5,381 97
	<u>\$62,334 82</u>	<u>\$62,334 82</u>

RECAPITULATION.

RECEIPTS.

	Gross Receipts.	Current Expenses.	Net Receipts.
Jackson Street Wharf.	\$ 9,055 25	\$2,205 00	\$ 6,850 25
Clay Street Wharf.	16,522 35	2,407 50	14,114 85
Washington Street Wharf	9,386 55	2,400 00	6,986 55
North Point Wharf.	12,438 38	1,875 75	10,562 63
Mission Street Wharf.	35,416 50	2,465 92	32,950 58
Vallejo Street Wharf.	32,195 90	3,200 15	28,995 75
Howard Street Wharf.	5,089 27	1,011 25	4,078 02
Folsom Street Wharf.	24,000 00		24,000 00
East Street (from Market to Folsom).	16,121 00		16,121 00
East Street (from Market to Pacific).	6,507 22	310 00	6,197 22
Front Street (from Union to Green Street).	612 00		612 00
Oakland (San Ant. Steam Nav. Co.).	1,200 00		1,200 00
Main Street Wharf.	2,901 87		2,901 87
Spear and Bryant streets.	1,800 00		1,800 00
Stewart Street.	2,399 37		2,399 37
Davis Street (Broadway to Pacific).	248 00		248 00
Vallejo Street (Davis to Front).	1,500 00		1,500 00
	<u>\$177,393 66</u>	<u>\$15,875 57</u>	<u>\$161,518 09</u>

DISBURSEMENTS.

Urgent Repairs.....	\$18,540 33	
Expenses, Etc.....	2,163 53	
Legal Counsel, Etc.....	3,000 00	
Office Furniture.....	36.00	
Salary of Commissioners and Secretary.....	11,400 00	
Protest Account.....	3,013 00	
State Wharf and Dock Fund.....	67,707 47	
San Francisco Harbor Pro- tection Fund.....	55,657 76	
		\$161,518 09

CONSTRUCTION OF NEW WORKS.

Jackson and Howard street Wharves and portions outer half of East Street		\$62,334 82
Commissioners' Orders on State Wharf and Dock Fund to pay for same..		62,334 82
	<u>\$62,334 82</u>	<u>\$62,334 82</u>

Respectfully submitted,

C. L. TAYLOR,
S. S. TILTON,
JAMES LAIDLEY.

NOVEMBER 4TH, 1865.

REPORT OF EDWARD TOMPKINS,

SPECIAL COUNSEL.

SAN FRANCISCO, October 30th, 1865.

To the Board of State Harbor Commissioners :

At the date of my last Annual Report the following six suits were in my hands :

1. The People *vs.* The Broadway Wharf Company.
2. The People *vs.* The Pacific Wharf Company.
3. The People *vs.* The Owners of the Market Street Wharf.
4. The People *vs.* The Central Wharf Company.
5. The People *vs.* The ship "Fair Wind."
6. The People *vs.* The Parties in possession of the Water Front between Jackson and Pacific streets.

During the year an action has been commenced by the Broadway and Pacific Wharf Companies jointly, against the Board of State Harbor Commissioners and George Goss, to restrain the construction of a wharf and slip between the Broadway and Pacific wharves, for the use of the Oakland Ferry Company.

The above-named seven suits are all upon which I have now to report.

In the cases against the Wharf Companies, (one to four, inclusive) trials were had in the Fourth District Court, and judgments obtained for the possession of the wharves. The defendants respectively moved for new trials ; but the same were denied by the Court. They then appealed to the Supreme Court, where the cases are now upon the calendar, and will undoubtedly be argued and submitted to that Court for decision within the next two weeks. If it was ever safe to predict the result of a litigation, I should assure you that these judgments will be affirmed.

In case No. 5, against the ship "Fair Wind," the wharfage sued for was recovered and paid over to you, and the suit thereby ended.

In case No. 6, demurrers to the complaint were pending at the date of my last report; they have since been argued and overruled. The defendants then answered, and the cause was placed upon the Calendar of the Fourth District Court, where it yet remains. I have twice been ready for trial; the first time it was postponed by the action of one of the defendants, and the second, by the Court, upon the ground that it was reached so late in the term that there was not time to secure its completion, if it was commenced. It will be on the Calendar for the November Term, and will probably be tried within the next four weeks. I can give you no opinion as to its result, as I have not the means of determining how far the defendants are able to substantiate their answer of the statute of limitations. Should they fail in that, I am unable to see that they have any other available defense.

In case No. 7, a preliminary injunction was granted by Judge Pratt, and the motion to make it absolute has been argued and submitted, but is not yet decided. The case will turn entirely upon the decision of the Supreme Court in the four wharf cases.

This embraces all the matters now in my hands, and they will all be pressed forward as rapidly as possible.

(Signed,)

EDWARD TOMPKINS,
Special Counsel.

